

Senate Bill 18

By: Senator Golden of the 8th

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 34-8-194 of the Official Code of Georgia Annotated, relating to grounds for disqualification for employment security benefits, so as to change provisions relating to the effect of discharge from employment because of absenteeism caused by illness; to provide for related matters; to provide for an effective date and for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 34-8-194 of the Official Code of Georgia Annotated, relating to grounds for disqualification for employment security benefits, is amended by striking division (2)(B)(iii) and inserting in its place a new division to read as follows:

"(iii) The discharge occurred because of absenteeism and the absences were caused by illness of the claimant or a family member, unless: (I) the claimant has without justification failed to notify the employer; or (II) the claimant's absenteeism violated the employer's attendance policies, orders, rules, or instructions; the claimant was made aware of such attendance policies, orders, rules, or instructions by the employer or through common knowledge; and such attendance policies, orders, rules, or instructions are lawful and reasonably related to the job environment and job performance, provided, however, that no waiver of an employee's rights under the federal Family and Medical Leave Act of 1993 or any other applicable federal law shall be construed under this division;".

**SECTION 2.**

This Act shall become effective on July 1, 2005, and shall apply with respect to discharges occurring on or after that date.

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- SECTION 3.
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- All laws and parts of laws in conflict with this Act are repealed.